

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:03-00072

JEVON BADGER

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On May 8, 2012, the United States of America appeared by William B. King, II, Assistant United States Attorney, and the defendant, Jevon Badger, appeared in person and by his counsel, Lex A. Coleman, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Mildred L. Devore, the defendant having commenced a three-year term of supervised release in this action on April 29, 2010, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on September 17, 2003.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respect: that the defendant violated federal and state law and illegally possessed a controlled substance as evidenced by his plea of guilty on February 27, 2012, to felony conspiracy to possess with intent to deliver heroin in Kanawha County Circuit Court; as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violation warrants revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violation if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense, the intervening conduct of the defendant and after considering

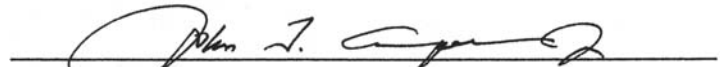
the factors set forth in 18 U.S.C. § 3553(a), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHTEEN (18) MONTHS, to be followed by a term of eighteen (18) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime.

The defendant shall remain on the same bond entered into by him on April 19, 2012, with the additional condition that he find and maintain employment, and he shall surrender for service of the sentence to the institution designated by the Bureau of Prisons by 2:00 p.m. on June 29, 2012.

Recommendation: The court recommends that the defendant be designated to an institution where drug treatment and vocational opportunities can be made available to him.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: May 24, 2012


John T. Copenhaver, Jr.
United States District Judge